



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
OFFICE OF THE CLERK
500 PEARL STREET
NEW YORK, NEW YORK 10007

RUBY J. KRAJICK
CLERK OF COURT

December 22, 2021

BY ECF AND OVERNIGHT MAIL

Amy Van Zant
Orrick, Herrington & Sutcliffe LLP
1000 Marsh Road
Menlo Park, CA 94025

Chelsea R. Mikula
Tucker Ellis LLP
950 Main Avenue, Suite 1100
Cleveland, OH 44113

Re: 1:20-cv-03661-MKV, Tradeshift, Inc. v. Smucker Services Company

Dear Counsel,

I have been contacted by Judge Edgardo Ramos, U.S.D.J., who presided over the above-named case before it was reassigned to Judge Mary Kay Vyskocil, U.S.D.J., on August 10, 2021.

Judge Ramos informed me that it has been brought to his attention that while he presided over the above-referenced case he owned stock in the J. M. Smucker Company. His ownership of stock neither affected nor impacted his decisions in this case. However, his stock ownership may have required recusal under the Code of Conduct for United States Judges, and thus, he requested reassignment and directed that I notify the parties of the potential conflict.

Advisory Opinion 71, from the Judicial Conference Codes of Conduct Committee, provides the following guidance regarding disqualification:

[A] judge should disclose to the parties the facts bearing on disqualification as soon as those facts are learned, even though that may occur after entry of the decision. The parties may then determine what relief they may seek, and a court (without the disqualified judge) will decide the legal consequence, if any,

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arising from the participation of the disqualified judge in the entered decision.

If you wish to respond to this disclosure of a potential conflict in the above-named case, please file your response in the above-named case. Any response will be considered without the participation of Judge Ramos.

Sincerely,

A handwritten signature in black ink, appearing to read "Ruby J. Krajick", with a stylized flourish at the end.

Ruby J. Krajick
Clerk of Court

cc: Hon. Edgardo Ramos, U.S.D. J.
Hon. Mary Kay Vyskocil, U.S.D.J.